

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHAUNCEY J. SCOTT,

Plaintiff,

v.

PAM JOHNSON,

Defendant.

Case Number 07-11560

Honorable David M. Lawson

Magistrate Judge Paul J. Komives

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION,
GRANTING MOTION TO DISMISS, AND DISMISSING CASE**

Presently before the Court is the report issued on October 23, 2007 by Magistrate Judge Paul J. Komives pursuant to 28 U.S.C. § 636(b), recommending that this Court grant the defendant's motion to dismiss and dismiss the plaintiff's complaint under Federal Rule of Civil Procedure 12(b)(1) for want of jurisdiction. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within ten days of service of the report, no objections have been filed. The parties' failure to file objections to the Report and Recommendation waives any further right to appeal. *Smith v. Detroit Federation of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the Magistrate Judge's Report and Recommendation [dkt # 7] is **ADOPTED**.

It is further **ORDERED** that the defendant's motion to dismiss [dkt # 4] is **GRANTED**.

It is further **ORDERED** that the above-captioned action is **DISMISSED** for want of jurisdiction.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: November 29, 2007

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on November 29, 2007.

s/Felicia M. Moses
FELICIA M. MOSES